



House of Representatives

General Assembly

File No. 65

January Session, 2005

House Bill No. 6641

House of Representatives, March 24, 2005

The Committee on Labor and Public Employees reported through REP. RYAN, K. of the 139th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING EMPLOYEES OF CALL CENTERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2005*) (a) As used in this section
2 and section 2 of this act:

3 (1) "Call center" means an entity whose primary purpose involves
4 the initiation or receipt of telephonic communications on behalf of any
5 person for the purpose of (A) initiating sales, including telephone
6 solicitations, or (B) providing or receiving services or information in
7 connection with the provision of other services or benefits.

8 (2) "Customer service employee" means a person employed by or
9 working on behalf of a call center.

10 (b) Within the first thirty seconds of answering a telephone call
11 made by a resident of this state to a call center, or within the first thirty
12 seconds of making a telephone call on behalf of a call center to a
13 resident of this state, a customer service employee shall state (1) the

14 employee's name or registered alias, (2) the name of the call center by
15 whom the employee is employed, (3) the city, state and country in
16 which the employee is located, and (4) if applicable, the name and
17 telephone number of an authorized representative of the entity
18 utilizing the services of the call center.

19 Sec. 2. (NEW) (*Effective October 1, 2005*) It shall be an unfair trade
20 practice within the provisions of chapter 735a of the general statutes
21 for a call center or customer service employee to transmit to any
22 foreign country any personal identifying or financial information
23 about a person who receives a telephone call from, or places a
24 telephone call to, a call center, without the consent of such person or
25 persons to whom the information pertains. For purposes of this
26 section, "personal identifying or financial information" includes, but is
27 not limited to, a motor vehicle operator's license number, Social
28 Security number, employee identification number, mother's maiden
29 name, account number or credit card number.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2005</i>	New section
Sec. 2	<i>October 1, 2005</i>	New section

LAB *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 06 \$	FY 07 \$
Consumer Protection, Dept.; Attorney General	Various - Revenue Gain	Potential Minimal	Potential Minimal

Municipal Impact: None

Explanation

The bill requires customer service employees to provide certain information to customers in this state when placing or answering a phone call. This has no fiscal impact.

The bill also makes it an unfair trade practice for a customer service employee to transmit certain information to a foreign country without the consent of the person to whom the information pertains. Under the Connecticut Unfair Trade Practices Act (CUTPA), the Department of Consumer Protection (DCP) and the Attorney General can impose CUTPA fines. In FY 04, \$18,789 was deposited in the General Fund as a result of such fines.

In the case of settlements, depending on the negotiation terms, funds are either deposited into the DCP's Consumer Protection Settlement Account or the General Fund. Funds deposited into the Consumer Protection Settlement Account are used only to enhance activities that further consumer protection. In FY 04, \$86,5000 in CUTPA fines were deposited into the DCP Consumer Protection Settlement Account. Additionally, in FY 04, \$135,212 in CUTPA fines were deposited into the General Fund as a result of settlements negotiated by the Office of the Attorney General (OAG). The state agencies could accommodate the workload associated with

enforcement of the bill without requiring additional resources. To the extent that the bill increases the potential for future violations, the bill could result in a minimal revenue gain to the state.

OLR Bill Analysis

HB 6641

AN ACT CONCERNING EMPLOYEES OF CALL CENTERS**SUMMARY:**

This bill requires call center employees to identify themselves and provide other related information to consumers within the first 30 seconds of a call to or from a consumer. The employee must give (1) his name or registered alias; (2) the name of the call center that employs him; (3) the city, state, and country where the employee is located; and (4) if applicable, the name and telephone number of an authorized representative of the entity using the call center's services.

A "call center" is defined as an entity whose primary purpose is initiating or receiving telephone calls on behalf of anyone to initiate sales, including telephone solicitations, or provide or receive services or information in connection with providing other services or benefits.

The bill also makes it an unfair trade practice for a call center to transmit to a foreign country any personal identifying and financial information about a person it calls or from whom it receives a call without first obtaining the consent of the person to whom the information pertains. The bill specifies that "personal identifying information and financial information" includes, driver's license number, Social Security number, employee identification number, mother's maiden name, and account or credit card numbers.

EFFECTIVE DATE: October 1, 2005

BACKGROUND***Connecticut Unfair Trade Practices Act (CUTPA)***

The law prohibits businesses from engaging in unfair and deceptive acts or practices. CUTPA allows the Department of Consumer Protection commissioner to issue regulations defining unfair trade practices, investigate complaints, issue cease and desist orders, order restitution in cases involving less than \$5,000, enter into consent agreements, ask the attorney general to seek injunctive relief, and

accept voluntary statements of compliance. The act also allows individuals to sue.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Report

Yea 8 Nay 4